

IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF ARKANSAS  
TEXARKANA DIVISION

TYLER MILLER

PLAINTIFF

vs.

Civil No. 4:17-cv-04104

TYSON FOODS, INC.

DEFENDANT

**REPORT AND RECOMMENDATION**  
**OF A UNITED STATES MAGISTRATE JUDGE**

Before the Court is Plaintiff's Motion to Dismiss Complaint Without Prejudice. ECF No. 19. Plaintiff filed this Motion on January 14, 2019. *Id.* With this Motion, Plaintiff seeks to voluntarily dismiss his action. *Id.* On January 14, 2019, Defendant responded to this Motion. ECF No. 20. In this response, Defendant raises no objections to this Motion. *Id.* Thus, the Court finds this Motion should be **GRANTED**, and Plaintiff's case should be dismissed pursuant to Rule 41(a)(2) of the Federal Rules of Civil Procedure.

**The Parties have fourteen (14) days from receipt of this Report and Recommendation in which to file written objections pursuant to 28 U.S.C. § 636(b)(1). The failure to file timely objections may result in waiver of the right to appeal questions of fact. The Parties are reminded that objections must be both timely and specific to trigger *de novo* review by the district court. See *Thompson v. Nix*, 897 F.2d 356, 357 (8th Cir. 1990).**

**IT IS SO ORDERED this 23rd day of January 2019.**

/s/ Barry A. Bryant  
HON. BARRY A. BRYANT  
U. S. MAGISTRATE JUDGE